

Exhibit K
to
Webb Declaration

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12 IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. C07-5944 SC

MDL NO. 1917

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

**DEFENDANT HITACHI AMERICA,
LTD.'S RESPONSES TO DIRECT
PURCHASER PLAINTIFFS' FIRST
SET OF INTERROGATORIES**

16 This Document Relates To:
17
DIRECT PURCHASER ACTION

20 PROPOUNDING PARTY: DIRECT PURCHASER PLAINTIFFS

21 RESPONDING PARTY: HITACHI AMERICA, LTD.

22 SET NUMBER: ONE (Nos. 1-16)

23 Pursuant to Federal Rule of Civil Procedure 33, defendant Hitachi America, Ltd.
24 ("Responding Party") hereby timely objects and responds ("Responses") to Direct Purchaser
25 Plaintiffs' ("Plaintiffs" or "Requesting Party") First Set of Interrogatories to Defendants, served
26 on March 12, 2010 ("Interrogatories"), as follows:

28

GENERAL OBJECTIONS

1. Responding Party's responses are based upon information and writings available to and located by Responding Party as of the date of service of these Responses. Responding Party has not completed its investigation of the facts relating to the Interrogatories, and all of the information supplied and documents and things produced are based only on such information and documents that are reasonably available and specifically known to Responding Party as of the date of service of its response.

2. No express, incidental or implied admissions are intended by these Responses. The fact that Responding Party agrees to provide information in response to a particular interrogatory is not intended and shall not be construed as an admission that Responding Party accepts or admits the existence of any such information set forth in or assumed by such interrogatory, or that any such information and/or document constitutes admissible evidence. The fact that Responding Party agrees to provide information in response to a particular interrogatory is not intended and shall not be construed as a waiver by Responding Party of any part of any objection to such interrogatory or any part of any general objection made herein.

3. Responding Party reserves the right to change, amend, or supplement its objections at a later date. If Plaintiffs assert an interpretation of any aspect of the Interrogatories that is different from that made by Responding Party, Responding Party reserves the right to supplement its objections if such interpretations made by Plaintiffs are held to be applicable.

4. Responding Party objects to the Interrogatories to the extent they are vague, ambiguous, or contain terms that are insufficiently defined.

5. Responding Party objects to the Interrogatories as overly broad, unduly burdensome, oppressive and beyond the proper scope of discovery.

6. Responding Party objects to the Interrogatories to the extent they seek information and/or documents on matters not relevant to the subject matter of this action, not admissible in evidence, and not reasonably calculated to lead to the discovery of admissible evidence.

1 7. Responding Party objects to the Interrogatories to the extent they seek to impose
 2 on it discovery obligations inconsistent with, or not authorized under, the Federal Rules of Civil
 3 Procedure or the Federal Rules of Evidence.

4 8. Responding Party objects to the Interrogatories to the extent they seek to impose
 5 on it discovery obligations inconsistent with, or not authorized under, the Local Rules of the
 6 United States District Court in and for the Northern District of California (the "Local Rules").

7 9. Responding Party objects to the Interrogatories to the extent they seek to impose
 8 on it discovery obligations exceeding the scope of the Stipulation and Order to Extend Limited
 9 Discovery Stay that the Court entered on January 5, 2010 (the "Stay Order").

10 10. Responding Party objects to the Interrogatories to the extent they seek information
 11 and/or documents that are beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

12 11. Responding Party objects to the Interrogatories to the extent they fail to describe
 13 the information and/or documents sought with a reasonable degree of specificity.

14 12. Responding Party shall attempt to construe the terms and phrases used by
 15 Plaintiffs in a way to give those terms and phrases a meaning which will result in the production
 16 of relevant information designed to lead to the discovery of admissible evidence.

17 13. Responding Party objects to the Interrogatories to the extent they seek the
 18 discovery of information and/or documents regarding Responding Party's sales outside of the
 19 United States and unrelated to United States commerce. Such sales are beyond the scope of this
 20 litigation and thereby render the Interrogatories overly broad, unduly burdensome, and not
 21 reasonably calculated to lead to the discovery of admissible evidence.

22 14. Responding Party objects to the Interrogatories to the extent they seek information
 23 the disclosure of which is prohibited by a law, regulation, or order of a court or other authority of
 24 a foreign jurisdiction in which the information is located.

25 15. Responding Party objects to the Interrogatories to the extent they seek information
 26 that is no longer active or readily accessible on Responding Party's database but might exist in
 27 electronic archives or back-up files. Responding Party will not rebuild these electronic archives
 28 and back-up files in order to search for information that may be responsive to the Interrogatories.

1 Based on the dates of the information sought, a portion of Responding Party's potential
 2 responsive information will likely not be on active databases.

3 16. Responding Party objects to the Interrogatories to the extent they seek to impose
 4 on Responding Party an obligation to investigate or discover information or materials from third
 5 parties or sources who or that are equally accessible to Plaintiffs.

6 17. Responding Party objects to the Interrogatories to the extent they contain
 7 duplicative requests, in whole or in part. To the extent responsive information has previously
 8 been produced, it will not be produced again.

9 18. Responding Party objects to the Interrogatories to the extent that they purport to
 10 call for Responding Party to engage in an investigation or to obtain information and/or documents
 11 not in its personal possession, custody or control. In addition, Responding Party objects to the
 12 extent the Interrogatories require Responding Party to respond and/or produce information and/or
 13 documents on behalf of any person or entity other than itself.

14 19. Responding Party objects to the Interrogatories to the extent that they seek
 15 documents that are in the public record or which are equally accessible to the Plaintiffs as to
 16 Responding Party.

17 20. Responding Party objects to the Interrogatories to the extent that they attempt
 18 and/or purport to call for production of any information and/or documents that are privileged,
 19 including, but not limited to, information, documents and materials that were prepared in
 20 anticipation of litigation, ADR, or for trial, that reveal communications between Responding
 21 Party and its legal counsel, and/or that otherwise constitute attorney-work product, joint defense
 22 or common interest privilege, or by any other applicable doctrine or privilege, or that are
 23 otherwise privileged or immune from discovery. Inadvertent testimony, production, or disclosure
 24 of any such information and/or document is not intended to and shall not constitute a waiver of
 25 any privilege or any other ground for objecting to discovery with respect to such testimony,
 26 information, and/or document, or with respect to the subject matter thereof. Nor shall such
 27 inadvertent production or disclosure waive Responding Party's right to object to the use of any
 28 such testimony, information, and/or document during this action or in any other or subsequent

1 proceeding. Hence, Responding Party objects to each interrogatory to the extent each seeks
 2 testimony, information, and/or documents that are protected by the attorney-client privilege
 3 and/or the attorney work product doctrine.

4 21. No response herein should be deemed or construed as a representation that
 5 Responding Party agrees with or acquiesces in the characterization of any fact, assumption or
 6 conclusion of law contained in or implied by the Interrogatories.

7 22. Responding Party objects to the Interrogatories to the extent they seek information
 8 and/or documents that would disclose proprietary information, trade secrets or other confidential
 9 research, development, or other confidential information, protected by the Uniform Trade Secrets
 10 Act, among others, any and all rights of privacy under the United States Constitution or Article I
 11 of the Constitution of the State of California, or any other applicable law or state constitution, or
 12 that is otherwise prohibited from disclosure because to do so would cause Responding Party to
 13 violate legal and/or contractual obligations to any other persons or entities. Where applicable,
 14 Responding Party's Responses to the Interrogatories are subject to the provisions of the Stipulated
 15 Protective Order that the Court entered on June 18, 2008 (the "Protective Order"). Responding
 16 Party's Responses are hereby designated "Confidential" in accordance with the provisions of the
 17 Protective Order.

18 23. By representing that it will or will not produce information and/or documents,
 19 Responding Party does not represent that such information and/or documents exist.

20 24. Responding Party objects to the Interrogatories to the extent they are compound
 21 and/or contain discrete subparts in violation of Federal Rule of Civil Procedure 33(a)(1).

22 25. Responding Party objects to the Interrogatories on the grounds that they are overly
 23 broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 24 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

25 26. Subject to and without waving any of the foregoing objections, each of which is
 26 expressly incorporated into each individual response below as if fully stated therein, Responding
 27 Party expressly reserves the following rights:

28 a. Any and all testimony and information provided and/or documents

1 produced by Responding Party in response to the Interrogatories are and will remain subject to all
 2 objections as to relevance, materiality, propriety, and admissibility, as well as to any and all other
 3 objections on any grounds that would require the exclusion of the testimony, information, and/or
 4 document or any portion thereof if such testimony, information, and/or document was offered in
 5 evidence, all of which objections and grounds are hereby expressly reserved and may be
 6 interposed at the time of any written discovery, deposition, or at or before any hearing, arbitration
 7 or trial in this matter;

8 b. The right to object on any ground whatsoever at any time to any demand
 9 for further responses to the Interrogatories or any other discovery procedures involving or relating
 10 to the subject matter of the Interrogatories; and

11 c. The right to supplement the information produced, or otherwise to
 12 supplement, revise or explain the information contained therein in light of information gathered
 13 through further investigation and discovery.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

DEFINITION NO. 1:

16 The term “Defendant” means defendants named in the Direct Purchaser Plaintiffs’
 17 Consolidated Amended Complaint and their present or former employees, officers, directors,
 18 agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other
 19 person acting on their behalf.

OBJECTION TO DEFINITION NO. 1:

21 Responding Party objects to the defined term “Defendant” on the grounds that, as defined,
 22 it is vague and ambiguous and renders any interrogatory into which it is incorporated not
 23 reasonably particular, in violation of Federal Rule of Civil Procedure 34(b)(1)(A), overly broad
 24 and unduly burdensome, as it includes entities and/or persons not controlled by Responding Party
 25 and not relevant to the subject matter involved in this action, and, in addition, improperly purports
 26 to seek information from distinct corporate entities and/or persons not parties to this action and
 27 not controlled by Responding Party.

1 Responding Party further objects to the term “Defendant” on the grounds that the
 2 incorporation of any or all of the terms “agents,” “predecessors,” “successors,” “parents,”
 3 “subsidiaries,” “affiliates,” “joint ventures,” and “present or former employees, officers, directors,
 4 agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other
 5 person acting on their behalf” into the definition renders each interrogatory incorporating the
 6 defined term overly broad and unduly burdensome, as it calls for information not relevant to the
 7 claim or defense of any party, not relevant to the subject matter involved in this action, and is not
 8 reasonably calculated to lead to the discovery of admissible evidence and, in addition, improperly
 9 purports to seek information from distinct corporate entities and/or persons not parties to this
 10 action and not controlled by Responding Party.

11 Responding Party objects to this definition to the extent it seeks information protected by
 12 the attorney-client privilege or work product doctrine.

13 Responding Party will respond on behalf of Hitachi America, Ltd. only.

14 **DEFINITION NO. 2:**

15 The term “Person” or “Persons” is defined to mean any natural person, corporation, or
 16 partnership, proprietorship, joint venture, or any business, legal, or government entity,
 17 organization, or association.

18 **OBJECTION TO DEFINITION NO. 2:**

19 Responding Party objects to the defined terms “Person,” and “Persons” on the grounds
 20 that, as defined, they are vague and ambiguous and render any interrogatory into which they are
 21 incorporated not reasonably particular, in violation of Federal Rule of Civil Procedure
 22 34(b)(1)(A), overly broad and unduly burdensome, as they include entities and/or persons not
 23 controlled by Responding Party and not relevant to the subject matter involved in this action, and,
 24 in addition, improperly purport to seek information from distinct corporate entities and/or persons
 25 not parties to this action and not controlled by Responding Party.

26 Responding Party further objects to the terms “Person,” and “Persons” on the grounds that
 27 the incorporation of any or all of the terms “natural person,” “corporation,” “partnership,”
 28 “proprietorship,” “joint venture,” “business, legal, or government entity,” “organization,” or

1 “association” into the definition renders each interrogatory incorporating the defined term overly
 2 broad and unduly burdensome, as it calls for information not relevant to the claim or defense of
 3 any party, not relevant to the subject matter involved in this action, and is not reasonably
 4 calculated to lead to the discovery of admissible evidence and, in addition, improperly purports to
 5 seek information from distinct corporate entities and/or persons not parties to the case and not
 6 controlled by Responding Party.

7 Responding Party will respond on behalf of Hitachi America, Ltd. only.

8 **DEFINITION NO. 3:**

9 The terms “You,” “Your,” and “Yourself” means defendant as defined herein.

10 **OBJECTION TO DEFINITION NO. 3:**

11 Responding Party objects to the defined terms, “You,” “Your,” and “Yourself” on the
 12 grounds that, as defined, they are vague and ambiguous and render any interrogatory into which
 13 any of the terms are incorporated not reasonably particular, in violation of Federal Rule of Civil
 14 Procedure 34(b)(1)(A), are overly broad and unduly burdensome, as they include persons not
 15 controlled by Responding Party and not relevant to the subject matter involved in this action, and,
 16 in addition, improperly purport to seek information from distinct corporate entities and/or persons
 17 not parties to this action and not controlled by Responding Party.

18 Responding Party further objects to the terms, “You,” “Your,” and “Yourself” on the
 19 grounds that the incorporation of the defined term “defendant” into the definitions renders each
 20 interrogatory incorporating any of the defined terms overly broad and unduly burdensome, as
 21 they call for information not relevant to the claim or defense of any party, not relevant to the
 22 subject matter involved in this action, are not reasonably calculated to lead to the discovery of
 23 admissible evidence and, in addition, improperly purport to seek information from distinct
 24 corporate entities and/or persons not parties to this action and not controlled by Responding Party.

25 Responding Party objects to this definition to the extent it seeks information protected by
 26 the attorney-client privilege or work product doctrine.

27 Responding Party will respond on behalf of Hitachi America, Ltd. only.

28

DEFINITION NO. 4:

The term “Document” includes all documents and electronically stored information as defined in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy is a separate document within the meaning of this term.

OBJECTION TO DEFINITION NO. 4:

Responding Party objects to this definition to the extent that it seeks to expand the scope of Rule 34 of the Federal Rules of Civil Procedure.

Responding Party also objects to this definition as overly broad to the extent it seeks information and/or documents that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

DEFINITION NO. 5:

The term “Employee” means any individual currently in the employ of, or at any time employed by, or acting as the agent of a defendant as defined herein.

OBJECTION TO DEFINITION NO. 5:

Responding Party objects to this definition on the grounds that, as defined, it is vague and ambiguous and renders any interrogatory into which it is incorporated not reasonably particular, in violation of Federal Rule of Civil Procedure 34(b)(1)(A), is overly broad and unduly burdensome, as it includes entities and/or persons not controlled by Responding Party and not relevant to the subject matter involved in this action, and, in addition, improperly purports to seek information from distinct corporate entities and persons not parties to the case and not controlled by Responding Party.

Responding Party further objects to the term “employee” on the grounds that the incorporation of the defined term “defendant” into the definition renders each interrogatory incorporating the defined term “employee” overly broad and unduly burdensome, as it calls for information not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, is not reasonably calculated to lead to the discovery of admissible

1 evidence and, in addition, improperly purports to seek information from distinct corporate entities
 2 and persons not parties to the case and not controlled by Responding Party.

3 Responding Party objects to the phrase “acting as the agent of a defendant as defined
 4 herein” on the grounds it calls for a legal conclusion and to the extent it seeks information beyond
 5 Responding Party’s possession, custody, or control.

6 Responding Party objects to this definition to the extent it seeks information protected by
 7 the attorney-client privilege or work product doctrine.

8 Responding Party will respond on behalf of Hitachi America, Ltd. only.

9 **DEFINITION NO. 6:**

10 The term “CRT” means cathode ray tube(s) and “CRT Products” means products
 11 containing cathode ray tubes.

12 **OBJECTION TO DEFINITION NO. 6:**

13 Responding Party objects to the defined term “CRT Products” on the grounds that as
 14 defined, it is vague and ambiguous.

15 Responding Party further objects to the defined term “CRT Products,” as distinguished
 16 from “CRT,” on the grounds that, to the extent the term is given a broad interpretation, any
 17 interrogatory incorporating this term is overbroad and unduly burdensome, and purports to call
 18 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 19 matter involved in this action, and is not reasonably calculated to lead to the discovery of
 20 admissible evidence. Moreover, any discovery as to “CRT Products” that is not reasonably
 21 related to Plaintiffs’ claims with respect to an alleged conspiracy involving CRTs is premature
 22 and overly burdensome until such time as Plaintiffs establish a reasonable basis for their claims
 23 regarding “CRT Products” to justify the enormous burden that Plaintiffs seek to impose on
 24 Responding Party by pursuing discovery as to all such products.

25 To the extent Responding Party’s Responses include information outside the defined term
 26 “CRT Product,” such Responses shall not be deemed to waive this objection.

27 **DEFINITION NO. 7:**

28 Unless otherwise noted, the “Relevant Time Period” means the period from January 1,

1 1995 through the present.

2 **OBJECTION TO DEFINITION NO. 7:**

3 Responding Party objects to the defined term, "Relevant Time Period," on the grounds
 4 that it is overbroad and seeks information beyond the putative class period, which begins on
 5 March 1, 1995 and ends on November 25, 2007 (Direct Purchasers' Consolidated Amended
 6 Complaint ¶ 1), and beyond the statute of limitations. Judge Conti has directed the parties to
 7 Judge Legge to develop procedures for the early resolution of statute of limitations issues and to
 8 reduce the burden in connection therewith. Responding Party believes it is premature for it to
 9 have to respond to the Interrogatories from prior to the statute of limitations period until Judge
 10 Legge considers this issue and determines the proper scope of that burden. For purposes of
 11 responding to these Interrogatories, Responding Party will interpret "Relevant Time Period" to
 12 mean November 16, 2003 through November 25, 2007.

13 **DEFINITION NO. 8:**

14 The term "Communication" means without limitation, oral or written communications of
 15 any kind, such as electronic communications, e-mails, facsimiles, telephone communications,
 16 correspondence, exchange of written or recorded information, or face-to-face meetings. The
 17 phrase "communication between" is defined to include instances where one party addresses the
 18 other party but the other party does not necessarily respond.

19 **OBJECTION TO DEFINITION NO. 8:**

20 Responding Party objects to this definition to the extent it attempts to impose obligations
 21 on Responding Party and/or seeks information and/or documents beyond those required to be
 22 produced pursuant to the Federal Rules of Civil Procedure.

23 **DEFINITION NO. 9:**

24 The term "Date" means the exact day, month and year, if ascertainable, or the best
 25 available approximation, including any relationship to other known events (designate whether
 26 exact or approximate).

27 **OBJECTION TO DEFINITION NO. 9:**

28 Responding Party objects to this definition to the extent it attempts to impose obligations

1 on Responding Party and/or seeks information and/or documents beyond those required to be
 2 produced pursuant to the Federal Rules of Civil Procedure.

3 Responding Party objects to the phrase “including any relationship to other known events
 4 (designate whether exact or approximate)” on the grounds that it renders the Interrogatories
 5 vague, ambiguous, overbroad, unduly burdensome, and purports to call for information that is not
 6 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
 7 action, and is not reasonably calculated to lead to the discovery of admissible evidence.

8 Responding Party objects to the phrase “including any relationship to other known events
 9 (designate whether exact or approximate)” to the extent it renders any interrogatory compound.

10 **DEFINITION NO. 10:**

11 The term “Meeting” means, without limitation, any assembly, convocation, encounter, or
 12 contemporaneous presence of two or more persons for any purpose, whether planned or arranged,
 13 scheduled or not.

14 **OBJECTION TO DEFINITION NO. 10:**

15 Responding Party objects to this definition to the extent it attempts to impose obligations
 16 on Responding Party and/or seeks information and/or documents beyond those required to be
 17 produced pursuant to the Federal Rules of Civil Procedure.

18 **INSTRUCTION NO. 1:**

19 When asked to identify a natural person, state the person’s name, employer, position dates
 20 of employment/tenure, and home address for all times during the Relevant Time Period. If any of
 21 such information has changed during the relevant time period, specify the time period to which
 22 the information provided in your answer pertains.

23 **OBJECTION TO INSTRUCTION NO. 1:**

24 Responding Party objects to this Instruction to the extent that it purports to impose
 25 burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules
 26 of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A)
 27 and Rule 26(e)(1).

28 Responding Party objects to this Instruction to the extent that it purports to impose

1 burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules
 2 and/or the Stay Order.

3 Responding Party objects to this Instruction on the grounds that it is vague and
 4 ambiguous, and purports to require the production of documents and information protected by the
 5 attorney-client privilege, work product doctrine or other applicable privilege.

6 Responding Party objects to this Instruction on the grounds that it is overly broad and
 7 unduly burdensome and inconsistent with common usage.

8 Responding Party objects to this Instruction to the extent it seeks information that would
 9 disclose personal confidential information and/or violate any and all rights of privacy under the
 10 United States Constitution or Article I of the Constitution of the State of California, or any other
 11 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 12 so would cause Responding Party to violate legal and/or contractual obligations to any other
 13 persons or entities.

14 Responding Party objects to this Instruction to the extent it seeks home addresses.

15 **INSTRUCTION NO. 2:**

16 When asked to identify any entity other than a natural person, state the name and address
 17 of the principal office or headquarters. If any of the information has changed during the Relevant
 18 Time Period, specify the time period to which the information provided in your answer pertains.

19 **OBJECTION TO INSTRUCTION NO. 2:**

20 Responding Party objects to this Instruction to the extent that it purports to impose
 21 burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules
 22 of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A)
 23 and Rule 26(e)(1).

24 Responding Party objects to this Instruction to the extent that it purports to impose
 25 burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules
 26 and/or the Stay Order.

27 Responding Party also objects to this Instruction on the grounds that it is overly broad and
 28 unduly burdensome and inconsistent with common usage.

1 **INSTRUCTION NO. 3:**

2 If the responding party elects to produce business records in response to an interrogatory
 3 pursuant to Federal Rule of Civil Procedure 33(d), the responding party shall produce the records
 4 as they are kept in the usual course of business or shall organize and label them to correspond with
 5 the interrogatory. If the document is being produced in its native electronic format (allowing
 6 the document to retain its metadata), identify the document using its hash or other appropriate
 7 electronic identification and identify to the interrogatories to which the document is responsive.
 8 If the document is not being produced in electronic form, identify the document using the
 9 applicable bates numbers or specifically identify the type of document being produced (e.g.,
 10 letter, memorandum, telegram, contract, invoice, etc.), its date and author(s), its custodian, and
 11 every person to whom such document or any copy thereof was given or sent. For all documents
 12 produced pursuant to Rule 33(d), identify the name of the employee, officer, or agent certifying
 13 the documents as business records.

14 **OBJECTION TO INSTRUCTION NO. 3:**

15 Responding Party objects to this Instruction on the grounds that it is unduly burdensome
 16 and purports to impose burdens and obligations upon Responding Party beyond those required by
 17 the Federal Rules of Civil Procedure.

18 Responding Party objects to this Instruction to the extent it seeks documents and
 19 information that would disclose Responding Party's or a third party's respective trade secrets or
 20 other confidential research, development, or confidential information protected by the Uniform
 21 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 22 One of the Constitution of the State of California, or any other applicable state constitution or
 23 law, including any copyright or license, or which is otherwise prohibited from disclosure because
 24 to do so would cause Responding Party to violate legal or contractual obligations to any other
 25 persons or entities. Where it may be appropriate to do so and with adequate protections and
 26 limitations, Responding Party expressly reserves the right to provide such information and/or
 27 documents only pursuant to the Protective Order in this action.

28

1 **SPECIFIC RESPONSES TO INTERROGATORIES**

2 **INTERROGATORY NO. 1**

3 State the name, address, and relationship to You of each person who prepared or assisted
4 in the preparation of the responses to these interrogatories. (Do not identify anyone who simply
5 typed or reproduced the responses.)

6 **RESPONSE TO INTERROGATORY NO. 1**

7 Responding Party reasserts and incorporates each of the General Objections and
8 Objections to the Definitions and Instructions set forth above.

9 Responding Party objects to this interrogatory on the grounds that it seeks information
10 protected by the attorney-client privilege, work product doctrine, joint defense or common
11 interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this interrogatory on the grounds that it is overly broad,
13 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
14 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

15 **INTERROGATORY NO. 2**

16 Identify each current and former employee who has or had any managerial responsibility
17 for recommending, reviewing, setting or approving prices, bids, quotes, or rebates for Your CRT
18 and/or CRT Products during the Relevant Time Period. For each person identified, include his or
19 her name, address, title, location, the division or unit of the company where he or she worked, and
20 a description of his or her responsibilities throughout the Relevant Time Period.

21 **RESPONSE TO INTERROGATORY NO. 2**

22 Responding Party reasserts and incorporates each of the General Objections and
23 Objections to the Definitions and Instructions set forth above.

24 Responding Party objects to this interrogatory on the grounds that it seeks information
25 protected by the attorney-client privilege, work product doctrine, joint defense or common
26 interest privilege, or by any other applicable doctrine or privilege.

27 Responding Party objects to this interrogatory on the grounds that it is overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 2 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 3 documents regarding Responding Party's sales outside of the United States and unrelated to
 4 United States commerce, such sales are beyond the scope of this action.

5 Responding Party objects on the grounds that the phrase "recommending, reviewing,
 6 setting or approving prices, bids, quotes, or rebates for Your CRT and/or CRT Products during
 7 the Relevant Time Period" is overly broad, unduly burdensome, and seeks information that is not
 8 relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 9 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 10 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 11 prior to November 26, 2003, are barred by the statute of limitations.

12 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 13 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 14 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 15 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 16 matter involved in this action, and is not reasonably calculated to lead to the discovery of
 17 admissible evidence.

18 Responding Party further objects to this interrogatory on the grounds that it seeks the
 19 discovery of information unrelated to United States commerce and seeks information that is
 20 beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

21 Responding Party objects to the extent this interrogatory seeks information that is no
 22 longer active or readily accessible in electronic form which renders this interrogatory overly
 23 broad and unduly burdensome.

24 Responding Party objects to the extent this interrogatory seeks information and/or
 25 documents that would disclose proprietary information, trade secrets or other confidential
 26 research, development, or other confidential information protected by the Uniform Trade Secrets
 27 Act, among others, including those of third parties, any and all rights of privacy under the United
 28 States Constitution or Article I of the Constitution of the State of California, or any other

1 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 2 so would cause Responding Party to violate legal and/or contractual obligations to any other
 3 persons or entities. Where applicable, Responding Party will only respond subject to the
 4 provisions of the Protective Order.

5 Responding Party further objects that the terms “managerial responsibility” and
 6 “reviewing” are vague, ambiguous, and unintelligible.

7 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 8 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 9 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

10 **INTERROGATORY NO. 3**

11 Identify each employee with pricing authority who attended any trade association during
 12 the Relevant Time Period relating to CRT and/or CRT Products and state with respect to each
 13 employee:

- 14 (a) the trade association attended;
- 15 (b) the dates of attendance;
- 16 (c) any offices, chairs or committee positions held in each of the trade associations;
 17 and
- 18 (d) the dates which those offices, chairs or committee positions were held.

19 **RESPONSE TO INTERROGATORY NO. 3**

20 Responding Party reasserts and incorporates each of the General Objections and
 21 Objections to the Definitions and Instructions set forth above.

22 Responding Party objects to this interrogatory on the grounds that it seeks information
 23 protected by the attorney-client privilege, work product doctrine, joint defense or common
 24 interest privilege, or by any other applicable doctrine or privilege.

25 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 26 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 27 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 28 documents regarding Responding Party’s sales outside of the United States and unrelated to

1 United States commerce, such sales are beyond the scope of this action. And, not [every]
 2 “employee with pricing authority who attended any trade association during the Relevant Time
 3 Period relating to CRT and/or CRT Products[]” is at issue in this action.

4 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 5 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 6 admissible evidence. The Direct Purchaser Plaintiffs’ Consolidated Amended Complaint does
 7 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 8 prior to November 26, 2003, are barred by the statute of limitations.

9 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 10 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this
 11 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 12 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 13 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 14 evidence.

15 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 16 information unrelated to United States commerce and seeks information that is beyond the scope
 17 of the Sherman Antitrust Act, 15 U.S.C. § 1.

18 Responding Party objects to the extent this interrogatory seeks information that is no
 19 longer active or readily accessible in electronic form which renders this interrogatory overly
 20 broad and unduly burdensome.

21 Responding Party objects that the terms “pricing authority” and “attended any trade
 22 association” are vague, ambiguous, and unintelligible, rendering the interrogatory overly broad
 23 and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of
 24 admissible evidence.

25 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 26 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 27 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

28

1 **INTERROGATORY NO. 4**

2 Identify each actual or proposed agreement between You and any producer of CRT and/or
 3 CRT Products, including the named defendants in this coordinated proceeding, relating to prices,
 4 pricing, production or inventory levels of CRT and/or CRT Products during the relevant time
 5 period. Agreements [sic] shall include drafts. For every such actual or prosed [sic] agreement
 6 state:

7 (a) the identity of the participants and all persons with knowledge thereof;
 8 (b) when such agreement was entered into;
 9 (c) where such agreement was entered into;
 10 (d) the terms of such agreement; and
 11 (e) when, how and which of your officers, directors or employees discovered the
 12 existence of such agreement.

13 **RESPONSE TO INTERROGATORY NO. 4**

14 Responding Party reasserts and incorporates each of the General Objections and
 15 Objections to the Definitions and Instructions set forth above.

16 Responding Party objects to this interrogatory on the grounds that it seeks information
 17 protected by the attorney-client privilege, work product doctrine, joint defense or common
 18 interest privilege, or by any other applicable doctrine or privilege.

19 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 20 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 21 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 22 documents regarding Responding Party's sales outside of the United States and unrelated to
 23 United States commerce, such sales are beyond the scope of this litigation and thereby render this
 24 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
 25 discovery of admissible evidence.

26 Responding Party objects on the grounds that the term "Relevant Time Period" is overly
 27 broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the
 28 discovery of admissible evidence as the Direct Purchaser Plaintiffs' Consolidated Amended

1 Complaint does not allege a continuing conspiracy, the end of the class period is November 25,
 2 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

3 Responding Party objects on the ground that subsection 5 (“when, how and which of your
 4 officers, directors or employees discovered the existence of such agreement[”]) renders this
 5 request compound in violation of Federal Rule of Civil Procedure 33.

6 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 7 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this
 8 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 9 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 10 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 11 evidence.

12 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 13 information unrelated to United States commerce and seeks information that is beyond the scope
 14 of the Sherman Antitrust Act, 15 U.S.C. § 1.

15 Responding Party objects to the extent this interrogatory seeks information that is no
 16 longer active or readily accessible in electronic form which renders this interrogatory overly
 17 broad and unduly burdensome.

18 Responding Party objects to this interrogatory to the extent it seeks information and/or
 19 documents that are not within the possession, custody, or control of Responding Party.

20 Responding Party objects to the extent this interrogatory seeks information and/or
 21 documents that would disclose proprietary information, trade secrets or other confidential
 22 research, development, or other confidential information protected by the Uniform Trade Secrets
 23 Act, among others, including those of third parties, any and all rights of privacy under the United
 24 States Constitution or Article I of the Constitution of the State of California, or any other
 25 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 26 so would cause Responding Party to violate legal and/or contractual obligations to any other
 27 persons or entities. Where applicable, Responding Party will only respond subject to the
 28 provisions of the Protective Order.

1 Responding Party objects to this interrogatory to the extent it seeks information or
 2 documents that require discovery of information and materials from third parties or sources that
 3 are equally if not more accessible to Plaintiffs.

4 Responding Party objects that the terms “actual,” “proposed,” and “agreements” are
 5 vague, ambiguous, and unintelligible, rendering this interrogatory overly broad and unduly
 6 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
 7 evidence.

8 Responding Party objects that the term “agreements” calls for a legal conclusion, to the
 9 extent this interrogatory seeks information related to non-written agreements.

10 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 11 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 12 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

13 **INTERROGATORY NO. 5**

14 Identify any meeting or communication between You and other producers of CRT and/or
 15 CRT Products during the Relevant Time Period, including the named Defendants in this coordi-
 16 nated proceeding, regarding CRT and/or CRT Product pricing, price increase announcements,
 17 terms or conditions of sales, profit margins or market share, production levels, inventory,
 18 customers, auctions, reverse auctions, dynamic bidding events, or sales, and for each such
 19 meeting or communication:

- 20 (a) provide the date and location of the meeting or communication;
- 21 (b) identify the person(s) who initiated, called, organized, attended or participated in
 the meeting or communication;
- 22 (c) describe the subject matter discussed and any information you provided or
 received;
- 23 (d) describe every action taken by you as a result of the meeting or communication;
 and
- 24 (e) identify all persons with knowledge relating to the meeting or communication.

1 **RESPONSE TO INTERROGATORY NO. 5**

2 Responding Party reasserts and incorporates each of the General Objections and
3 Objections to the Definitions and Instructions set forth above.

4 Responding Party objects to this interrogatory on the grounds that it seeks information
5 protected by the attorney-client privilege, work product doctrine, joint defense or common
6 interest privilege, or by any other applicable doctrine or privilege.

7 Responding Party objects to this interrogatory on the grounds that it is overly broad,
8 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
9 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
10 documents regarding Responding Party's sales outside of the United States and unrelated to
11 United States commerce, such sales are beyond the scope of this litigation and thereby render the
12 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
13 discovery of admissible evidence.

14 Responding Party objects to this interrogatory on the ground that subpart d ("describe
15 every action taken by you as a result of the meeting or communication") renders this request
16 compound in violation of Federal Rule of Civil Procedure 33.

17 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
18 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
19 admissible evidence as the Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
20 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
21 prior to November 26, 2003, are barred by the statute of limitations.

22 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
23 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
24 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
25 for information that is not relevant to the claim or defense of any party, not relevant to the subject
26 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
27 evidence.

28 Responding Party further objects to this interrogatory on the grounds that it seeks the

1 discovery of information unrelated to United States commerce and seeks information that is
 2 beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

3 Responding Party objects to the extent this interrogatory seeks information that is no
 4 longer active or readily accessible in electronic form which renders this interrogatory overly
 5 broad and unduly burdensome.

6 Responding Party objects to this interrogatory to the extent it seeks information and/or
 7 documents that are not within the possession, custody, or control of Responding Party.

8 Responding Party objects to this interrogatory to the extent it seeks information or
 9 documents that require discovery of information and materials from third parties or sources that
 10 are equally if not more accessible to Plaintiffs.

11 Responding Party objects to the extent this interrogatory seeks information and/or
 12 documents that would disclose proprietary information, trade secrets or other confidential
 13 research, development, or other confidential information protected by the Uniform Trade Secrets
 14 Act, among others, including those of third parties, any and all rights of privacy under the United
 15 States Constitution or Article I of the Constitution of the State of California, or any other
 16 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 17 so would cause Responding Party to violate legal and/or contractual obligations to any other
 18 persons or entities. Where applicable, Responding Party will only respond subject to the
 19 provisions of the Protective Order.

20 Responding Party objects that this interrogatory is compound in violation of Federal Rule
 21 of Civil Procedure 33, rendering the interrogatory overly broad and unduly burdensome.

22 Responding Party objects that the phrase “dynamic bidding events” is vague, ambiguous,
 23 and unintelligible, rendering this interrogatory overly broad and unduly burdensome, not relevant
 24 and not reasonably calculated to lead to the discovery of admissible evidence.

25 Responding Party objects that the term “agreements” calls for a legal conclusion, to the
 26 extent the interrogatory seeks information related to non-written agreements.

27 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

2 **INTERROGATORY NO. 6**

3 Identify each instance during the Relevant Time Period in which You or any other
 4 producer of CRT and/or CRT Products, including the named defendants in this coordinated
 5 proceeding, instituted a price increase or decrease for CRT and/or CRT Products, and for each
 6 such instance:

- 7 (a) when such price increase or decrease was announced publicly;
- 8 (b) when such price increase or decrease was implemented;
- 9 (c) the amount of the price increase or decrease;
- 10 (d) whether such price increase or decrease was withdrawn;
- 11 (e) each person with responsibility for implementing such price increase or decrease
 or its withdrawal; and
- 13 (f) any explanation given for such price increase or decrease or withdrawal.

14 **RESPONSE TO INTERROGATORY NO. 6**

15 Responding Party reasserts and incorporates each of the General Objections and
 16 Objections to the Definitions and Instructions set forth above.

17 Responding Party objects to this interrogatory on the grounds that it seeks information
 18 protected by the attorney-client privilege, work product doctrine, joint defense or common
 19 interest privilege, or by any other applicable doctrine or privilege.

20 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 21 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 22 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 23 documents regarding Responding Party's sales outside of the United States and unrelated to
 24 United States commerce, such sales are beyond the scope of this action.

25 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 26 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 27 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 28 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims

1 prior to November 26, 2003, are barred by the statute of limitations.

2 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 3 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this
 4 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 5 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 6 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 7 evidence.

8 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 9 information unrelated to United States commerce and seeks information that is beyond the scope
 10 of the Sherman Antitrust Act, 15 U.S.C. § 1.

11 Responding Party objects to the extent this interrogatory seeks information that is no
 12 longer active or readily accessible in electronic form which renders this interrogatory overly
 13 broad and unduly burdensome.

14 Responding Party objects to this interrogatory to the extent it seeks information and/or
 15 documents that are not within the possession, custody, or control of Responding Party.

16 Responding Party objects to this interrogatory to the extent it seeks information and/or
 17 documents that require discovery of information and materials from third parties or sources that
 18 are equally if not more accessible to Plaintiffs.

19 Responding Party objects to the extent this interrogatory seeks information and/or
 20 documents that would disclose proprietary information, trade secrets or other confidential
 21 research, development, or other confidential information protected by the Uniform Trade Secrets
 22 Act, among others, including those of third parties, any and all rights of privacy under the United
 23 States Constitution or Article I of the Constitution of the State of California, or any other
 24 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 25 so would cause Responding Party to violate legal and/or contractual obligations to any other
 26 persons or entities. Where applicable, Responding Party will only respond subject to the
 27 provisions of the Protective Order.

28 Responding Party objects to this interrogatory on the grounds that it is overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 2 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

3 **INTERROGATORY NO. 7**

4 Identify and describe all joint ventures, partnerships or other cooperative business
 5 relationships, during the Relevant Time Period, relating to CRT and/or CRT Products between
 6 You and any other CRT or CRT Products producer.

7 **RESPONSE TO INTERROGATORY NO. 7**

8 Responding Party reasserts and incorporates each of the General Objections and
 9 Objections to the Definitions and Instructions set forth above.

10 Responding Party objects to this interrogatory on the grounds that it seeks information
 11 protected by the attorney-client privilege, work product doctrine, joint defense or common
 12 interest privilege, or by any other applicable doctrine or privilege.

13 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 14 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 15 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 16 documents regarding Responding Party's sales outside of the United States and unrelated to
 17 United States commerce, such sales are beyond the scope of this litigation and thereby render the
 18 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
 19 discovery of admissible evidence. And, not "all joint ventures, partnerships or other cooperative
 20 business relationships, during the Relevant Time Period, relating to CRT and/or CRT Products
 21 between [Responding Party] and any other CRT or CRT Products producer[]" are at issue in this
 22 action.

23 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 24 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 25 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 26 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 27 prior to November 26, 2003, are barred by the statute of limitations.

28 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks

1 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this
 2 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 3 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 4 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 5 evidence.

6 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 7 information unrelated to United States commerce and seeks information that is beyond the scope
 8 of the Sherman Antitrust Act, 15 U.S.C. § 1.

9 Responding Party objects to the extent this interrogatory seeks information that is no
 10 longer active or readily accessible in electronic form which renders this interrogatory overly
 11 broad and unduly burdensome.

12 Responding Party objects to this interrogatory to the extent it seeks information and/or
 13 documents that are not within the possession, custody, or control of Responding Party.

14 Responding Party objects to this interrogatory to the extent it seeks information and/or
 15 documents that require discovery of information and materials from third parties or sources that
 16 are equally if not more accessible to Plaintiffs.

17 Responding Party objects to the extent this interrogatory seeks information and/or
 18 documents that would disclose proprietary information, trade secrets or other confidential
 19 research, development, or other confidential information protected by the Uniform Trade Secrets
 20 Act, among others, including those of third parties, any and all rights of privacy under the United
 21 States Constitution or Article I of the Constitution of the State of California, or any other
 22 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 23 so would cause Responding Party to violate legal and/or contractual obligations to any other
 24 persons or entities. Where applicable, Responding Party will only respond subject to the
 25 provisions of the Protective Order.

26 Responding Party objects that the phrases “partnership” and “cooperative business
 27 relationships” are vague, ambiguous, and unintelligible, rendering this interrogatory overly broad
 28 and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

1 admissible evidence.

2 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 3 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 4 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

5 **INTERROGATORY NO. 8**

6 Identify every channel used by You to sell, market, or distribute CRT and/or CRT
 7 Products during the Relevant Time Period. If You used different channels at different points
 8 within the Relevant Time Period, identify when You used each channel to sell, market, or
 9 distribute CRT and/or CRT Products.

10 **RESPONSE TO INTERROGATORY NO. 8**

11 Responding Party reasserts and incorporates each of the General Objections and
 12 Objections to the Definitions and Instructions set forth above.

13 Responding Party objects to this interrogatory on the grounds that it seeks information
 14 protected by the attorney-client privilege, work product doctrine, joint defense or common
 15 interest privilege, or by any other applicable doctrine or privilege.

16 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 17 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 18 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 19 documents regarding Responding Party's sales outside of the United States and unrelated to
 20 United States commerce, such sales are beyond the scope of this litigation and thereby render the
 21 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
 22 discovery of admissible evidence. And, not "every channel used by [Responding Party] to sell,
 23 market, or distribute CRT and/or CRT Products during the Relevant Time Period[]" is at issue in
 24 this action.

25 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 26 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 27 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 28 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims

1 prior to November 26, 2003, are barred by the statute of limitations.

2 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 3 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this
 4 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 5 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 6 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 7 evidence.

8 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 9 information unrelated to United States commerce and seeks information that is beyond the scope
 10 of the Sherman Antitrust Act, 15 U.S.C. § 1.

11 Responding Party objects to the extent this interrogatory seeks information that is no
 12 longer active or readily accessible in electronic form which renders this interrogatory overly
 13 broad and unduly burdensome.

14 Responding Party objects that the term “channel” is vague, ambiguous, and unintelligible,
 15 rendering this interrogatory overly broad and unduly burdensome, not relevant and not reasonably
 16 calculated to lead to the discovery of admissible evidence.

17 Responding Party objects to the extent this interrogatory seeks information and/or
 18 documents that would disclose proprietary information, trade secrets or other confidential
 19 research, development, or other confidential information protected by the Uniform Trade Secrets
 20 Act, among others, including those of third parties, any and all rights of privacy under the United
 21 States Constitution or Article I of the Constitution of the State of California, or any other
 22 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 23 so would cause Responding Party to violate legal and/or contractual obligations to any other
 24 persons or entities. Where applicable, Responding Party will only respond subject to the
 25 provisions of the Protective Order.

26 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 28 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

1 **INTERROGATORY NO. 9**

2 Identify every channel used by you to purchase CRT and/or CRT Products during the
 3 Relevant Time Period. If You used different channels at different points within the Relevant
 4 Time Period, identify when You used each channel to purchase CRT or CRT Products.

5 **RESPONSE TO INTERROGATORY NO. 9**

6 Responding Party reasserts and incorporates each of the General Objections and
 7 Objections to the Definitions and Instructions set forth above.

8 Responding Party objects to this interrogatory on the grounds that it seeks information
 9 protected by the attorney-client privilege, work product doctrine, joint defense or common
 10 interest privilege, or by any other applicable doctrine or privilege.

11 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 12 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 13 including to the extent that it seeks the discovery of information and/or documents regarding
 14 Responding Party's sales outside of the United States and unrelated to United States commerce,
 15 as such sales are beyond the scope of this litigation and thereby render the interrogatory overly
 16 broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 17 evidence.

18 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 19 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 20 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does not
 21 allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior
 22 to November 26, 2003, are barred by the statute of limitations.

23 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 24 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 25 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 26 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 27 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 28 evidence.

1 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 2 information unrelated to United States commerce and seeks information that is beyond the scope
 3 of the Sherman Antitrust Act, 15 U.S.C. § 1.

4 Responding Party objects to the extent this interrogatory seeks information that is no
 5 longer active or readily accessible in electronic form which renders this interrogatory overly
 6 broad and unduly burdensome.

7 Responding Party objects that the term “channel” is vague, ambiguous, and unintelligible,
 8 rendering this interrogatory overly broad and unduly burdensome, not relevant and not reasonably
 9 calculated to lead to the discovery of admissible evidence.

10 Responding Party objects to the extent this interrogatory seeks information and/or
 11 documents that would disclose proprietary information, trade secrets or other confidential
 12 research, development, or other confidential information protected by the Uniform Trade Secrets
 13 Act, among others, including those of third parties, any and all rights of privacy under the United
 14 States Constitution or Article I of the Constitution of the State of California, or any other
 15 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 16 so would cause Responding Party to violate legal and/or contractual obligations to any other
 17 persons or entities. Where applicable, Responding Party will only respond subject to the
 18 provisions of the Protective Order.

19 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 20 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 21 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

22 **INTERROGATORY NO. 10**

23 Identify the CRT and/or CRT Products that You manufactured or produced for each
 24 month within the Relevant Time Period, including the brand name, product number, and intended
 25 use.

26 **RESPONSE TO INTERROGATORY NO. 10**

27 Responding Party reasserts and incorporates each of the General Objections and
 28 Objections to the Definitions and Instructions set forth above.

1 Responding Party objects to this interrogatory on the grounds that it seeks information
 2 protected by the attorney-client privilege, work product doctrine, joint defense or common
 3 interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 5 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 6 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 7 documents regarding Responding Party's sales outside of the United States and unrelated to
 8 United States commerce, such sales are beyond the scope of this litigation and thereby render the
 9 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
 10 discovery of admissible evidence.

11 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 12 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 13 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 14 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 15 prior to November 26, 2003, are barred by the statute of limitations.

16 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 17 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 18 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 19 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 20 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 21 evidence.

22 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 23 information unrelated to United States commerce and seeks information that is beyond the scope
 24 of the Sherman Antitrust Act, 15 U.S.C. § 1.

25 Responding Party objects to the extent this interrogatory seeks information that is no
 26 longer active or readily accessible in electronic form which renders this interrogatory overly
 27 broad and unduly burdensome.

28 Responding Party objects to this interrogatory on the grounds that it is overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 2 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

3 **INTERROGATORY NO. 11**

4 Identify the CRT and/or CRT Products You sold, marketed, or distributed for each month
 5 within the Relevant Time Period, including the brand name, product number, and intended use.

6 **RESPONSE TO INTERROGATORY NO. 11**

7 Responding Party reasserts and incorporates each of the General Objections and
 8 Objections to the Definitions and Instructions set forth above.

9 Responding Party objects to this interrogatory on the grounds that it seeks information
 10 protected by the attorney-client privilege, work product doctrine, joint defense or common
 11 interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 13 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 14 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 15 documents regarding Responding Party's sales outside of the United States and unrelated to
 16 United States commerce, such sales are beyond the scope of this litigation and thereby render the
 17 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
 18 discovery of admissible evidence.

19 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 20 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 21 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 22 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 23 prior to November 26, 2003, are barred by the statute of limitations.

24 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 25 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 26 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 27 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 28 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 3 information unrelated to United States commerce and seeks information that is beyond the scope
 4 of the Sherman Antitrust Act, 15 U.S.C. § 1.

5 Responding Party objects to the extent this interrogatory seeks information that is no
 6 longer active or readily accessible in electronic form which renders this interrogatory overly
 7 broad and unduly burdensome.

8 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 9 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 10 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

11 **INTERROGATORY NO. 12**

12 Provide Your sales of CRT and/or CRT Products to the United States and globally for
 13 each month from January 1, 1991 to the present. For each month during this period, state the
 14 volume of sales, the U.S. dollar value of sales, the unit sale price, the per unit cost to produce
 15 CRT and/or CRT Products, the per unit cost to distribute CRT and/or CRT Products (including
 16 overseas freight, tariff, customs, duties, inland freight, storage, insurance, dealer commissions),
 17 and the per unit profit earned.

18 **RESPONSE TO INTERROGATORY NO. 12**

19 Responding Party reasserts and incorporates each of the General Objections and
 20 Objections to the Definitions and Instructions set forth above.

21 Responding Party objects to this interrogatory on the grounds that it seeks information
 22 protected by the attorney-client privilege, work product doctrine, joint defense or common
 23 interest privilege, or by any other applicable doctrine or privilege.

24 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 25 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 26 evidence. For example, this interrogatory seeks the discovery of information and/or documents
 27 regarding Responding Party's sales outside of the United States and unrelated to United States
 28 commerce; such sales are beyond the scope of this litigation and thereby render the interrogatory

1 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 2 admissible evidence.

3 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 4 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 5 admissible evidence. The Direct Purchaser Plaintiffs’ Consolidated Amended Complaint does
 6 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 7 prior to November 26, 2003, are barred by the statute of limitations.

8 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 9 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this
 10 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 11 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 12 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 13 evidence.

14 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 15 information unrelated to United States commerce and seeks information that is beyond the scope
 16 of the Sherman Antitrust Act, 15 U.S.C. § 1.

17 Responding Party objects to the extent this interrogatory seeks information that is no
 18 longer active or readily accessible in electronic form which renders this interrogatory overly
 19 broad and unduly burdensome.

20 Responding Party objects to the extent this interrogatory seeks information and/or
 21 documents that would disclose proprietary information, trade secrets or other confidential
 22 research, development, or other confidential information protected by the Uniform Trade Secrets
 23 Act, among others, including those of third parties, any and all rights of privacy under the United
 24 States Constitution or Article I of the Constitution of the State of California, or any other
 25 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 26 so would cause Responding Party to violate legal and/or contractual obligations to any other
 27 persons or entities. Where applicable, Responding Party will only respond subject to the
 28 provisions of the Protective Order.

1 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 3 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

4 **INTERROGATORY NO. 13**

5 If You offered different prices to different markets, or on a spot market versus contract
 6 basis, during the Relevant Time Period, so indicate in the statistical data supplied in response to
 7 Interrogatory No. 6.

8 **RESPONSE TO INTERROGATORY NO. 13**

9 Responding Party reasserts and incorporates each of the General Objections and
 10 Objections to the Definitions and Instructions set forth above.

11 Responding Party objects to this interrogatory on the grounds that it seeks information
 12 protected by the attorney-client privilege, work product doctrine, joint defense or common
 13 interest privilege, or by any other applicable doctrine or privilege.

14 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 15 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 16 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 17 documents regarding Responding Party's sales outside of the United States and unrelated to
 18 United States commerce, such sales are beyond the scope of this action.

19 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 20 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 21 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 22 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 23 prior to November 26, 2003, are barred by the statute of limitations.

24 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 25 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 26 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 27 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 28 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 3 information unrelated to United States commerce and seeks information that is beyond the scope
 4 of the Sherman Antitrust Act, 15 U.S.C. § 1.

5 Responding Party objects to the extent this interrogatory seeks information that is no
 6 longer active or readily accessible in electronic form which renders this interrogatory overly
 7 broad and unduly burdensome.

8 Responding Party objects to the extent this interrogatory seeks information and/or
 9 documents that would disclose proprietary information, trade secrets or other confidential
 10 research, development, or other confidential information protected by the Uniform Trade Secrets
 11 Act, among others, including those of third parties, any and all rights of privacy under the United
 12 States Constitution or Article I of the Constitution of the State of California, or any other
 13 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 14 so would cause Responding Party to violate legal and/or contractual obligations to any other
 15 persons or entities. Where applicable, Responding Party will only respond subject to the
 16 provisions of the Protective Order.

17 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 18 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 19 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

20 **INTERROGATORY NO. 14**

21 Provide Your aggregate purchases (in both number of units and revenue in U.S. dollars) of
 22 CRT and/or CRT Products for each month from January 1, 1991 to the present.

23 **RESPONSE TO INTERROGATORY NO. 14**

24 Responding Party reasserts and incorporates each of the General Objections and
 25 Objections to the Definitions and Instructions set forth above.

26 Responding Party objects to this interrogatory on the grounds that it seeks information
 27 protected by the attorney-client privilege, work product doctrine, joint defense or common
 28 interest privilege, or by any other applicable doctrine or privilege.

1 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 3 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 4 documents regarding Responding Party's sales outside of the United States and unrelated to
 5 United States commerce, such sales are beyond the scope of this action. And, Responding Party's
 6 aggregate purchases (in both number of units and revenue in U.S. dollars) of CRT and/or CRT
 7 Products for each month from January 1, 1991 to the present are not at issue in this action.

8 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 9 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 10 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 11 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 12 prior to November 26, 2003, are barred by the statute of limitations.

13 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 14 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 15 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 16 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 17 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 18 evidence.

19 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 20 information unrelated to United States commerce and seeks information that is beyond the scope
 21 of the Sherman Antitrust Act, 15 U.S.C. § 1.

22 Responding Party objects to the extent this interrogatory seeks information that is no
 23 longer active or readily accessible in electronic form which renders this interrogatory overly
 24 broad and unduly burdensome.

25 Responding Party objects that the terms "spot market," and "statistical data" are vague,
 26 ambiguous, and unintelligible, rendering this interrogatory overly broad and unduly burdensome,
 27 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

28 Responding Party objects to the extent this interrogatory seeks information and/or

1 documents that would disclose proprietary information, trade secrets or other confidential
 2 research, development, or other confidential information protected by the Uniform Trade Secrets
 3 Act, among others, including those of third parties, any and all rights of privacy under the United
 4 States Constitution or Article I of the Constitution of the State of California, or any other
 5 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 6 so would cause Responding Party to violate legal and/or contractual obligations to any other
 7 persons or entities. Where applicable, Responding Party will only respond subject to the
 8 provisions of the Protective Order.

9 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 10 documents related to “purchases,” it seeks information not related to the allegations in the
 11 Complaint, the request is overly broad and unduly burdensome, and purports to call for
 12 information that is not relevant to the claim or defense of any party, not relevant to the subject
 13 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 14 evidence.

15 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 16 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 17 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

18 **INTERROGATORY NO. 15**

19 Provide Your aggregate purchases (in units and U.S. dollars) of CRT or CRT Products
 20 from each of the other named defendants in this coordinated proceeding, for the purpose of resale,
 21 for each month during from January 1, 1991 to the present.

22 **RESPONSE TO INTERROGATORY NO. 15**

23 Responding Party reasserts and incorporates each of the General Objections and
 24 Objections to the Definitions and Instructions set forth above.

25 Responding Party objects to this interrogatory on the grounds that it seeks information
 26 protected by the attorney-client privilege, work product doctrine, joint defense or common
 27 interest privilege, or by any other applicable doctrine or privilege.

28 Responding Party objects to this interrogatory on the grounds that it is overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 2 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 3 documents regarding Responding Party's sales outside of the United States and unrelated to
 4 United States commerce, as such sales are beyond the scope of this litigation and thereby render
 5 the interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the
 6 discovery of admissible evidence. And, Responding Party's "aggregate purchases (in units and
 7 U.S. dollars) of CRT or CRT Products from each of the other named defendants in this
 8 coordinated proceeding, for the purpose of resale, for each month during from January 1, 1991 to
 9 the present[]'" are not at issue in this action.

10 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 11 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of
 12 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does
 13 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims
 14 prior to November 26, 2003, are barred by the statute of limitations.

15 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 16 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this
 17 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call
 18 for information that is not relevant to the claim or defense of any party, not relevant to the subject
 19 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 20 evidence.

21 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of
 22 information unrelated to United States commerce and seeks information that is beyond the scope
 23 of the Sherman Antitrust Act, 15 U.S.C. § 1.

24 Responding Party objects to the extent this interrogatory seeks information that is no
 25 longer active or readily accessible in electronic form which renders this interrogatory overly
 26 broad and unduly burdensome.

27 Responding Party objects to this interrogatory on the grounds that, to the extent the
 28 interrogatory seeks information and/or documents not related to the allegations in the Direct

1 Purchaser Plaintiffs' Consolidated Amended Complaint, this interrogatory is overly broad and
 2 unduly burdensome, and purports to call for information that is not relevant to the claim or
 3 defense of any party, not relevant to the subject matter involved in this action, and not reasonably
 4 calculated to lead to the discovery of admissible evidence.

5 Responding Party objects to this interrogatory to the extent it seeks information and/or
 6 documents that are not within the possession, custody, or control of Responding Party.

7 Responding Party objects to this interrogatory to the extent it seeks information and/or
 8 documents that require discovery of information and materials from third parties or sources that
 9 are equally if not more accessible to Plaintiffs.

10 Responding Party objects that the term "aggregate" is vague, ambiguous, and
 11 unintelligible, rendering this interrogatory overly broad and unduly burdensome, not relevant and
 12 not reasonably calculated to lead to the discovery of admissible evidence.

13 Responding Party objects to the extent this interrogatory seeks information and/or
 14 documents that would disclose proprietary information, trade secrets or other confidential
 15 research, development, or other confidential information protected by the Uniform Trade Secrets
 16 Act, among others, including those of third parties, any and all rights of privacy under the United
 17 States Constitution or Article I of the Constitution of the State of California, or any other
 18 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 19 so would cause Responding Party to violate legal and/or contractual obligations to any other
 20 persons or entities. Where applicable, Responding Party will only respond subject to the
 21 provisions of the Protective Order.

22 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 23 documents related to "purchases," it seeks information not related to the allegations in the
 24 Complaint, the request is overly broad and unduly burdensome, and purports to call for
 25 information that is not relevant to the claim or defense of any party, not relevant to the subject
 26 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible
 27 evidence.

28 Responding Party objects to this interrogatory on the grounds that it is overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 2 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

3 **INTERROGATORY NO. 16**

4 State whether any documents or information responsive to this set of interrogatories were
 5 destroyed, discarded, erased, deleted, purged, or otherwise lost. If Your answer is in any way in
 6 the affirmative:

7 (a) describe in detail the contents of each such document or information and the date it
 8 was destroyed, discarded, erased, deleted, purged or lost;

9 (b) identify each person who had any role or responsibility in destroying, discarding,
 10 erasing, purging, deleting or losing of each such document or information; and

11 (c) describe in detail the circumstances under which each such document or
 12 information was destroyed, discarded, erased, deleted, purged, or lost.

13 **RESPONSE TO INTERROGATORY NO. 16**

14 Responding Party reasserts and incorporates each of the General Objections and
 15 Objections to the Definitions and Instructions set forth above.

16 Responding Party objects to this interrogatory to the extent that it is harassing, invasive, or
 17 seeks personal confidential information, the disclosure of which is prohibited by a law,
 18 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 19 information is located.

20 Responding Party objects to this interrogatory on the grounds that it seeks information
 21 protected by the attorney-client privilege, work product doctrine, joint defense or common
 22 interest privilege, or by any other applicable doctrine or privilege.

23 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 24 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 25 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or
 26 documents regarding Responding Party's sales outside of the United States and unrelated to
 27 United States commerce, such sales are beyond the scope of this litigation and thereby render the
 28 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the

1 discovery of admissible evidence.

2 Responding Party objects on the grounds that the term "Relevant Time Period" is overly
 3 broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the
 4 discovery of admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended
 5 Complaint does not allege a continuing conspiracy, the end of the class period is November 25,
 6 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

7 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks
 8 information and/or documents not related to the allegations in the Direct Purchaser Plaintiffs'
 9 Consolidated Amended Complaint, this interrogatory is overly broad and unduly burdensome,
 10 and purports to call for information that is not relevant to the claim or defense of any party, not
 11 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
 12 discovery of admissible evidence.

13 Responding Party objects to this interrogatory on the grounds that it is overly broad,
 14 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 15 evidence. Hitachi America, Ltd. exited the CRT business in 1998.

16
 17 Dated: May 12, 2010

MORGAN, LEWIS & BOCKIUS LLP

18 By


 19 Diane L. Webb
 20 Attorneys for Hitachi America, Ltd.